

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VICTOR VELASQUEZ, an individual, on
behalf of himself and on behalf of all
persons similarly situated,

Plaintiff,

v.

SUN-MAID GROWERS OF
CALIFORNIA,

Defendant.

Case No. 1:21-cv-00194-AWI-EPG

ORDER REGARDING JOINT STATUS
REPORT

(ECF No. 25)

On December 22, 2021, the parties submitted a stipulation requesting to stay this case and continue the deadline for filing a motion for class certification in light of a related case pending in state court. (ECF No. 22.) The Court approved the stipulation, staying the case until issuance of a ruling in the related case, and directing the parties to file a joint status report. (ECF No. 23.) On July 1, 2022, the parties filed a joint status report, stating that the hearing date on the motion for class certification in the related case has been extended to November 16, 2022, and asking that the stay in the instant case remain in effect pending the hearing. (ECF No. 25.)

Having considered the parties' joint status report, IT IS HEREBY ORDERED that:

1. This action remains STAYED until issuance of a ruling on the motion for class certification filed in *David Diaz v. Sun-Maid Growers of California*, Case No. 18CECG04502, pending before the Fresno County Superior Court (the "Diaz

1 Action");

2 2. Within seven days after the state court issues an order on the pending motion for class

3 certification in the *Diaz* Action, the parties shall provide a joint status report advising

4 the Court of the status of this case and the *Diaz* Action, as well as the parties'

5 proposal(s) for rescheduling the remainder of this lawsuit or otherwise terminating the

6 lawsuit;

7 3. Within six months of entry of this order, if the state court has not yet issued a ruling on

8 the motion for class certification, the parties shall file a joint status report advising the

9 Court of the status of the *Diaz* Action and the parties' positions on continuing the stay;

10 and

11 4. The Court reserves the right to lift the stay to the extent there is undue delay with the

12 *Diaz* Action.

13 IT IS SO ORDERED.

14 Dated: July 5, 2022

15 /s/ *Eric P. Groj*
16 UNITED STATES MAGISTRATE JUDGE

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